

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ABEDOLA FAGBEMI,)	
)	
Plaintiff,)	No. 08 C 3736
)	
v.)	Judge Kendall
)	
CITY OF CHICAGO and JOHN)	Magistrate Judge Brown
SPATZ, Jr.,)	
Defendants.)	

**DEFENDANT CITY OF CHICAGO’S AND JOHN SPATZ’S MOTION
FOR AN EXTENSION OF TIME TO ANSWER OR OTHERWISE
PLEAD TO PLAINTIFF’S COMPLAINT**

Defendants City of Chicago (the “City”) and John Spatz, Jr., by their attorney, Mara S. Georges, Corporation Counsel of the City, move for an extension of time of twenty-one (21) days, up to and including September 12, 2008 to answer or otherwise plead to plaintiff’s complaint. The Defendants state the following in support of this motion:

1. Plaintiff filed his complaint on June 30, 2008. The complaint alleges federal claims under 42 U.S.C. 1983 against the City and John Spatz, individually and in his official capacity as Commissioner of the City’s Department of Water.

2. On or about July 2, 2008, plaintiff’s complaint and summons were served on the City. The City’s answer or other pleading to the complaint was due on July 23, 2008.

3. This Court granted the City an extension of time up to and including August 22, 2008 to answer or otherwise plead to the plaintiff’s complaint.

4. On August 20, 2008, plaintiff’s complaint and summons were served on John Spatz. Defendant John Spatz’s answer or other pleading is due on September 9, 2008.

5. The undersigned counsel was recently assigned to this case and filed an appearance on behalf of Defendants City of Chicago and John Spatz contemporaneous with the instant motion.

6. In the interest of judicial economy and efficiency, Defendants request a twenty-one (21) day extension of time to September 12, 2008 to answer and otherwise plead on behalf of the City and Defendant Spatz, in order to investigate plaintiff's allegations as they relate to Defendant Spatz and to gather and review any pertinent documents related to those allegations.

7. This motion is not being brought for the purpose of delay or any other improper purpose.

8. Plaintiff will not be prejudiced if the requested extension of time is granted.

9. The undersigned attempted to contact plaintiff's counsel prior to filing this motion to determine if there was an objection, but counsel was unavailable.

WHEREFORE, the Defendants respectfully request that this Court grant an extension of time of twenty-one (21) days, up to and including September 12, 2008, to answer or otherwise plead to plaintiff's complaint.

Dated: August 21, 2008

Respectfully submitted,

MARA S. GEORGES,
Corporation Counsel of the City of Chicago

By: /s/ Melanie Patrick Neely
MELANIE PATRICK NEELY

30 North LaSalle Street, Suite 1020
Chicago, Illinois 60602

312-744-5114

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on August 21, 2008, she electronically filed the foregoing Defendants Motion for an Extension of Time to Answer or Otherwise Plead to Plaintiff's Complaint with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all attorneys of record in this matter registered to receive notice through the CM/ECF system.

By: /s/ Melanie Patrick Neely